

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

BOARD OF TRUSTEES OF THE)	
NORTHERN ILLINOIS BENEFIT FUND,)	
BOARD OF TRUSTEES OF THE)	
NORTHERN ILLINOIS PENSION FUND,)	
BOARD OF TRUSTEES OF THE)	
NORTHERN ILLINOIS EDUCATION)	
FUND, BOARD OF TRUSTEES OF)	No. 08 C 306
THE NORTHERN ILLINOIS)	
RETIREMENT FUND,)	Judge Kendall
)	
Plaintiffs,)	Magistrate Judge Ashman
)	
v.)	
)	
FOUR SEASONS HEATING &,)	
COOLING, INC., an Illinois Corporation,)	
and DAWN FRANCO, individually,)	
)	
Defendants.)	

**MOTION FOR ORDER OF DEFAULT
AND JUDGMENT IN SUM CERTAIN**

Plaintiffs, by one of their attorneys, DONALD D. SCHWARTZ, PHILIP BRZOZOWSKI and ARNOLD AND KADJAN, pursuant to F.R.C.P. 55, respectfully request this Honorable Court to enter an Order of Default as to liability and Judgment in favor of Plaintiffs and against Defendant, DAWN FRANCO, individually.

In support thereof, Plaintiffs state:

1. This case was filed on January 14, 2008.
2. Defendant, DAWN FRANCO, individually, was served with Summons and Complaint on March 4, 2008.
3. In excess of 20 days have expired since Service of Process, however, Defendant has failed to file an answer or otherwise plead.
4. Per the affidavit of Olga Kane, the Defendants, FOUR SEASONS HEATING &

COOLING, INC., an Illinois corporation and DAWN FRANCO, individually, agreed to an installment note to pay Plaintiffs fringe benefit contributions previously owed. The note is in default because no payments have been made since November 30, 2007. The total amount still due on the installment note for Northern Illinois Benefit Funds is \$27,841.14. (See Exhibit 1)

5. Default in any note payment accelerates the entire balance due.

6. Per the affidavit of Philip Brzozowski, attorney for Plaintiffs, \$3,106.25 in legal fees and expenses have been incurred in attempting to collect the amounts owed by Defendant. (See Exhibit 2)

WHEREFORE, Plaintiffs pray for:

1. An Order of Default and Judgment against the Defendant.
2. Judgment be rendered in the amount of \$30,947.39.

Respectfully submitted,

**TRUSTEES OF THE NORTHERN
ILLINOIS BENEFIT FUND, LOCAL
501, et al.**

By: s/ Philip Brzozowski
One of their Attorneys

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